

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NSIGHT, INC.,

Plaintiff,

v.

PEOPLESOFT, INC,

Defendant

No. C-04-3836 MMC

**ORDER DENYING PLAINTIFF'S MOTION  
FOR PROTECTIVE ORDER, FOR  
REVISED CASE MANAGEMENT  
ORDER, FOR CANCELLATION OF  
SETTLEMENT CONFERENCE, AND FOR  
LEAVE TO AMEND**

The Court is in receipt of plaintiff nSight, Inc.'s motion, filed November 18, 2005, titled "Motion for a Protective Order, for Revised Case Management Order, for Cancellation of the Settlement Conference with the Magistrate Judge, and for Leave to Amend the Complaint to Add Defendants." Having reviewed the motion, the Court hereby rules as follows:

1. Plaintiff's motion for a protective order, with respect to a deposition defendant has noticed as to a third party, is hereby DENIED without prejudice. Plaintiff has failed to support the motion with "a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action." See Fed. R. Civ. P. 26(c). Further, plaintiff has failed to identify the particular protective order it seeks.

2. Plaintiff's motion to amend the case management order is hereby DENIED

1 without prejudice. Although plaintiff's motion asserts, generally, that plaintiff needs more  
2 time to take discovery, plaintiff fails to offer a declaration to establish the requisite "good  
3 cause." See Fed. R. Civ. P. 16(b).

4 3. Plaintiff's motion to cancel the settlement conference is hereby DENIED. To the  
5 extent plaintiff may be seeking to continue the date on which the settlement conference will  
6 occur, plaintiff may seek such relief from Magistrate Judge Edward M. Chen.

7 4. Plaintiff's motion to amend the complaint to add two new defendants is hereby  
8 DENIED without prejudice to plaintiff's filing a noticed motion seeking such relief, showing  
9 therein plaintiff's entitlement to so amend, see Fed. R. Civ. P. 15(a), 15(c), and attaching  
10 thereto the proposed amended complaint, see Civil L.R. 10-1.

11 **IT IS SO ORDERED.**

12  
13 Dated: November 18, 2005

  
MAXINE M. CHESNEY  
United States District Judge